

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-6 (Sub-No. 397X)

**The Burlington Northern and Santa Fe Railway Company - Abandonment
Exemption-In Pierce County, WA**

BACKGROUND

The Burlington Northern and Santa Fe Railway Company (BNSF) filed a notice of exemption pursuant to the Board's regulations at 49 CFR 1152.50. The notice of exemption is for abandonment of BNSF line of railroad between BNSF M.P. 28.10 and M.P. 28.34 near McMillan, in Pierce County, Washington, a total distance of 0.24 miles. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

CONTACTS AND PROCEDURES

The railroad has submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage¹ and disposition of the right-of-way. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included of Natural Resources Conservation Service, State Historic Preservation Officer, National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Department of Agriculture, Public Service Commission, and National Geodetic Survey.

¹Defined as removal of track and ties

ENVIRONMENTAL REVIEW

Land Use

The proposed abandonment is consistent with local land use plans. It will have no effect on prime farmland.

Transportation

The proposed abandonment will have no affect on existing transportation systems or patterns as the line is out of service.

Air and Noise Quality

Air

No diversion of traffic from rail to truck transportation will occur as a result of the proposed abandonment, and, therefore, no significant impact on air quality would occur.

Noise

There would not be an increase of truck traffic, and, therefore, no significant increase in noise would result.

Wetlands and Water Quality

The proposed abandonment is not anticipated to have any effect upon Federal, state or local water quality standards.

Biological Resources

The proposed abandonment is not anticipated to adversely affect endangered or threatened species or areas designated as critical habitat. The Washington Department of Fish and Wildlife (WDFW) has reviewed the proposed project. WDFW states that the project site appears to be located within close proximity of a bridge structure. WDFW's states that it understands that Pierce County anticipates converting this portion of the of the exiting line into a trail. Issues regarding impacts to wildlife species and habitat would also be addressed during its review of the project. WDFW reports that the Puyallup River, over which the bridge is constructed, is considered critical habitat. Chinook salmon and bull trout, both listed as threatened species, can be found in this river system.

Cultural and Historic Resources

The Washington State Office of Archaeology and Historic Preservation (OAHP) advises that

its research indicates that the S.R. 162 McMillan Bridge over the Puyallup River has been inventoried and archaeological site 45 PI 456 has been identified and located about 100 meters west of the tracks. In view of the presence of this site, OAHP recommends that a survey for other cultural resources be undertaken in the project vicinity by qualified cultural resource professionals. OAHP states that the results of this survey should be provided to it for review and evaluation. OAHP also recommends that interested tribal representatives be notified and consulted about this proposal. A condition requiring the BNSF retain its interest in the right-of-way and maintain it unaltered until completion of the Section 106 process is completed is recommended.

CONDITIONS

The SEA recommends that the following condition be placed on any decision granting abandonment authority:

The BNSF will retain its interest in the right-of-way and maintain it unaltered until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and any salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice. CHS advises that the line would not be salvaged.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Phillis Johnson-Ball, who prepared this environmental assessment. **Please refer to Docket No. AB-6 (Sub-No. 397X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Phillis Johnson-Ball at (202) 565-1530.

Date made available to the public: 1/31/03.

Comment due date: 2/15/03.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

